

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in view of the present amendment and in light of the following discussion, is respectfully requested.

Claims 56-70 are pending. In the present amendment, Claims 44-55 are canceled without prejudice or disclaimer and Claim 70 is added. Support for the present amendment can be found in the originally filed specification, for example, at page 6, line 24 to page 8, line 3. Thus, it is respectfully submitted that no new matter is added.

In the outstanding Office Action, Claims 44, 48-53, 55, 56, 62-66, 68, and 69 were rejected under 35 U.S.C. §103(a) as unpatentable over Komino (U.S. Patent 6,634,845) in view of Kawasaki et al. (U.S. Patent 6,382,249, hereinafter “Kawasaki”), Doan et al. (U.S. Patent 7,030,037, hereinafter “Doan”), and Makino et al. (U.S. Patent 5,391,260, hereinafter “Makino”); Claims 45-47 and 57-59 were rejected under 35 U.S.C. §103(a) as unpatentable over Komino in view of Kawasaki, Doan, and Makino, and further in view of Dandl et al. (U.S. Publication No. 2001/0016166, hereinafter “Dandl”) and van Os et al. (U.S. Patent 6,178,918, hereinafter “van Os”); Claims 54 and 67 were rejected under 35 U.S.C. §103(a) as unpatentable over Komino in view of Kawasaki, Doan, and Makino, and further in view of Carducci et al. (U.S. Publication No. 2003/0038111, hereinafter “Carducci”); and Claims 60 and 61 were rejected under 35 U.S.C. §103(a) as unpatentable over Komino in view of Kawasaki, Doan, and Makino, and further in view of Ishii (U.S. Patent 5,685,942).

In response to the rejections of Claims 44-55, Applicant respectfully traverses these rejections. However, in the spirit of moving prosecution forward for the present application, Claims 44-55 are canceled so that the rejections are now moot. Applicant reserves the right to present Claims 44-55, or similar claims, in a continuation application and to address any traversed issues in such application.

Regarding the rejections of Claims 56-69, Applicant respectfully requests reconsideration of these rejections and traverses these rejections, as discussed below.

It is respectfully submitted that none of the references cited in rejecting independent Claim 56 (Komino, Kawasaki, Doan, and Makino) disclose or suggest **repositioning** pumping cells and seals to **reconfigure** the gas flow in the processing apparatus.

Claim 56 recites, in part, “removing the pumping cell from the first pumping port and providing a substitute seal to the first pumping port such that the substitute seal blocks a gas flow through the first pumping port; and removing the seal from the second pumping port and providing a substitute pumping cell to the second pumping port such that a gas flow through the vacuum processing apparatus is reconfigured by the providing the substitute seal to the first pumping port and the providing the substitute pumping cell to the second pumping port.”

Applicant notes that the substitute seal provided to the first pumping port may be the same seal that is removed from the second pumping port, or a different seal. Additionally, the substitute pumping cell provided to the second pumping port may be the same pumping cell removed from the first pumping port or a different pumping port. Thus, the method of making an improved vacuum processing apparatus recited in Claim 56 is aimed at pumping cells and seals that can be reconfigured within the various pumping ports such that the gas flow is also reconfigured.

The Office Action, on page 3, concedes that the combination of Komino and Kawasaki does not disclose or suggest removing the pumping cell from the first pumping port and providing a substitute seal to the first pumping port, the substitute seal being configured to block a gas flow through the pumping port. Instead, the Office Action relies on Doan to cure these deficiencies of Komino and Kawasaki.

Specifically, the Office Action relies on the pressure control valving and the isolating valve 42 described in Doan. Regarding the pressure control valving and the isolating valve

42, Doan describes that these valves are to isolate one of the pumps 26, 28 from the chamber 12 during operation.¹

However, it is respectfully submitted that Doan does not disclose or suggest “removing the pumping cell from the first pumping port and providing a substitute seal to the first pumping port such that the substitute seal blocks a gas flow through the first pumping port,” as recited in Claim 56.

Instead, Doan merely describes that one of the pumps 26, 28 can be isolated from the chamber 12 by the valves. Doan does not describe that one of the pumps 26, 28 is removed from a pumping port after the pump 26, 28 is isolated. Additionally, Doan does not disclose or suggest that these valves would effectively seal the port where the pump 26, 28 was located when the pump 26, 28 is removed from the port. Thus, it is respectfully submitted that the valves described in Doan are not the claimed seals.

The Office Action, on page 4, concedes that the combination of Komino, Kawasaki, and Doan does not disclose or suggest removing the seal from the second pumping port and providing a substitute pumping cell to the second pumping port such that a gas flow through the apparatus is reconfigured. Instead, the Office Action relies on Makino to cure these deficiencies of Komino, Kawasaki, and Doan.

Specifically, the Office Action relies on the modified embodiment described at lines 1-6, on column 6 of Makino. Makino describes a modification of an embodiment of a vacuum apparatus in which a pair of exhaust pumps 42 are provided on lower side walls of the apparatus.²

However, it is respectfully submitted that Makino does not disclose or suggest “removing the seal from the second pumping port and providing a substitute pumping cell to the second pumping port such that a gas flow through the vacuum processing apparatus is

¹ See Doan, at col. 3, line 57 to col. 4, line 24 and in Figure 2.

² See Makino, at col. 5, line 66 to col. 6, line 6 and in Figure 7.

reconfigured by the providing the substitute seal to the first pumping port and the providing the substitute pumping cell to the second pumping port,” as recited in Claim 56.

Instead, it is respectfully submitted that the modification described in Makino is not a **reconfiguration** of a vacuum processing apparatus. Instead, the pair of exhaust pumps 42 were not added to a pumping port that previously was sealed. Further, Makino does not disclose or suggest that the apparatus can be reconfigured such that a seal is provided in place of one of the pair of exhaust pumps 42. Thus, Makino does not describe a **reconfigurable apparatus**, but instead describes a number of different apparatuses that each have a different configuration.

Therefore, it is respectfully submitted that the combination of Komino, Kawasaki, Doan, and Makino does not disclose or suggest every feature recited in Claim 56. Specifically, even assuming the cited combination is proper, the combination does not disclose or suggest the reconfiguration of pumping cells within a vacuum processing apparatus by using seals to effectively block a pumping port when the pumping cell is removed therefrom. Thus, it is respectfully requested that the outstanding rejection of Claim 56, and all claims dependent thereon, as unpatentable over Komino in view of Kawasaki, Doan, and Makino, be withdrawn.

Additionally, regarding the remaining secondary references (Dandl, van Os, Carducci, and Ichii), it is respectfully submitted that none of these secondary references cure the above-noted deficiencies of Komino, in view of Kawasaki, Doan, and Makino. Thus, it is respectfully requested that the rejections of Claim 56, and all claims dependent thereon, be withdrawn.

New Claim 70 is added by the present amendment. Support for Claim 70 can be found in the originally filed specification, for example, at page 6, line 24 to page 8, line 3. Thus, it is respectfully submitted that no new matter is added.

It is noted that Claim 70 is dependent on Claim 56 and thus is believed to be patentable for at least the reasons discussed with respect to Claim 56. Additionally, Claim 70 recites, *inter alia*, "the removing the seal from the second pumping port includes removing the seal such that the seal does not contact the lower wall, the upper wall, or the side wall."

The valving described in Doan, and relied on by the Office Action as equating to the claimed seal, is attached to the walls of the process chamber. Thus, it is respectfully submitted that neither Doan, nor any of the other cited references, disclose or suggest every feature recited in Claim 70.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal allowance. A Notice of Allowance is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicant's undersigned representative at the below listed telephone number.


Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)
CBH/rac



Steven P. Weihrouch
Attorney of Record
Registration No. 32,829

Edwin D. Garlepp
Registration No. 45,330